IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 12596 of 2004

Between:

Kalidindi Seetharama Raju, s/o Lachi Raju,
r/o Jagannadhapuram Village, Velerupad Mandal, Khammam

District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Velerupad, Khammam District.
2 The Revenue Divisional Officer, Paloncha, Khammam District.
3 The District Collector, Khammam District, Khammam.
4 Kalluri Venkateswarlu, s/o Mattaiah,
r/o Velerupad Village and Mandal, Khammam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, particularly one in the nature of mandamus, declaring Notice in Rc.No.B-269/2004 dt.18-5-2004 of the 1st respondent herein as illegal, without authority of law, without jurisdiction, arbitrary, unreasonable and also violative of Articles 14, 21 and 300-A of the Constitution of India and issue a consequential direction to the respondents herein not to give effect to the same and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.RAJAMALLA REDDY

Counsel for Respondents 1 to 3: GP FOR REVENUE

Counsel for Respondent No.4: --

The Court at the admission stage made the following Order:

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 12596 of 2004

ORDER:

The petitioner has not disclosed the eminent threat for invoking the jurisdiction of this Court under Article 226 of the Constitution of India. First respondent-Mandal Revenue Officer through his proceedings dated 18-05-2004, called upon the petitioner to produce the record as to how he came into possession of the land, failing to do so necessary action will be taken. Against the said order, the petitioner moved the Revenue Divisional Officer, who, in turn, informed the Mandal Revenue Officer that his predecessor enquired the matter with relevant rules and issued occupancy rights certificate on 11-04-1995, with regard to the land in question and asked first respondent to send a detailed report.

In view of the same, the first respondent is directed to examine the record and submit requisite report to the second respondent, as called for by him, but he cannot insist the petitioner to vacate the land. Until the Revenue Divisional Officer decides and communicates any order, the petitioner shall not be dispossessed.

The writ petition is accordingly disposed of with the above observation.

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21-07-2004

kdl

To

1 The Mandal Revenue Officer, Velerupad, Khammam District.
2 The Revenue Divisional Officer, Paloncha, Khammam District.
3 The District Collector, Khammam District, Khammam.
4 Two C.Cs. to the Government Pleader for Revenue, High Court

Buildings, A.P., Hyderabad.

5. Two C.D. Copies.